

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FRONTIER FISHING CORP.

Plaintiff,

v.

DONALD EVANS, Secretary of the
UNITED STATES DEPARTMENT OF
COMMERCE; AND CONRAD C.
LAUTENBACHER JR. UNDER SECRETARY
FOR OCEANS AND
ATMOSPHERE/ADMINISTRATOR AND
DEPUTY UNDER SECRETARY

Defendants.

CIVIL ACTION
NO.04-11171-DPW

**ASSENTED TO EXTEND TIME FOR FILING OF BRIEFS AND OPPOSITIONS
FOR SIX DAYS**

Now comes the Plaintiff, Frontier Fishing Corp. and seeks an extension of **six** days for filing of briefs and oppositions thereto. As grounds therefore, Plaintiff states:

This is an administrative record review case appealing a decision of an administrative agency and findings of its administrative law judge. Two Extension of extension of time has been requested and granted to date. The administrative record for the case has been compiled. Plaintiff had focused on a document that it believes may be material to the outcome of its objection to the fishing sanctions imposed against it by defendant. Defendant agreed to look into the matter and respond to plaintiff's questions about the document, and Plaintiff's request to supplement the record with the document. The Defendants provided a response to the issue on March 11, 2995, and took the position that the Agency will not reconsider the Agency action in light of the document and that supplementation of the record is not appropriate. Plaintiff is preparing its Motion for Summary Judgment, and intends to provide an argument based on the additional documents, subject to allowance of the motion to supplement, or alternatively remand of the case to the Agency. Based on a conversation between counsel today, it was suggested that

the argument involving the effect of this disputed document on the merits of the case be essentially isolated within the pleadings to avoid the difficulty of parties having to redraft briefs or restructure arguments based on the Court's ruling on this additional document. Plaintiff's counsel has agreed to do so. To accommodate this, Plaintiff's counsel's seeks six additional days, noting that family commitments over the weekend will prevent completion of the modified pleadings until next week. Allowance of the motion will streamline the briefing process and hopefully reduce the burden on the parties and the Court.

For these reasons, the Plaintiff requests, and the Defendant assents to an extension of six days for filing of the Plaintiff's motions, and a proportionate extension in the time for the Defendant to reply. Wherefore, the Plaintiff prays that the time for filing Plaintiff's motion for summary judgment be extended by six days to April 7, 2005; Defendants' opposition to Plaintiff's motion for summary judgment, and any cross-motion for summary judgment to be filed by May 7, 2005; and any reply/opposition to cross motion for summary judgment be filed by June 7, 2005.

Respectfully submitted this 31st day of March, 2005,

FRONTIER FISHING CORP.

By its attorneys,

Assented to:

DONALD EVANS and

CONRAD C. LAUTENBACHER, JR.

By their attorneys,

Stephen M. Ouellette /s/
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